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Attorneys for Defendants
RECONTRUST COMPANY, N.A. and
COUNTRYWIDE HOME LOANS, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

PRACHONG THOMRONGSITH,

Plaintiff,

vs.

RECONTRUST COMPANY,
COUNTRYWIDE HOME LOANS, INC.
and DOES 1-50, inclusive,

Defendants.

Case No.: 08CV-07184 PSG (PLAx)

[Assigned to Hon. Philip S. Gutierrez;
Dept. 790, Roybal]

**ENTRY OF JUDGMENT OF
DISMISSAL**

Having reviewed the Court's docket and the papers on file in the above-captioned matter, the Court finds the following:

1. On September 25, 2008, Plaintiff Prachong Thomrongsith ("Plaintiff") filed the instant action against Defendants Recontrust Company, N.A., and Countrywide Home Loans, Inc. (collectively "Defendants").

2. On October 30, 2008, Defendants timely removed the action from the Superior Court for the County of Los Angeles to this Court.

3. On November 6, 2008, Defendant filed a motion to dismiss to each of the three causes of action asserted in Plaintiff's Complaint based on the uncertainty of the claims and Plaintiff's failure to state a valid cause of action.

4. The motion to dismiss was heard on January 12, 2009. The Court sustained Defendant's unopposed motion to dismiss with leave to amend, and issued its order providing that "the First Amended complaint shall be filed by January 27, 2009. If First Amended complaint is not filed, complaint will be dismissed with prejudice."

5. Plaintiff failed to file an amended complaint by January 27, 2009.

Accordingly, for the reasons set forth above, **IT IS ORDERED, ADJUDGED AND DECREED** as follows:

That Defendants have judgment against Plaintiff Prachong Thomrongsith on all claims, that Plaintiff take nothing by virtue of his complaint, and that this action is hereby dismissed, with prejudice.

Dated: 2/2/09

PHILIP S. GUTIERREZ

United States District Court
Central District of California

Respectfully submitted by:

Stacey L. Herter, Esq.

Marc H. Phelps, Esq.

BRYAN CAVE LLP

By: /s/ Stacey L. Herter

Stacey L. Herter

Attorneys for Defendants

RECONTRUST COMPANY, N.A. and
COUNTRYWIDE HOME LOANS, INC.

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Bryan Cave LLP, 120 Broadway, Suite 300, Santa Monica, CA 90401.

On January 29, 2009, I served the foregoing documents, described as **[PROPOSED] ENTRY OF JUDGEMENT OF DISMISSAL**, on each interested party in this action by placing a true copy (or original) thereof in a sealed envelope addressed as follows:

Mitchell W. Roth
 Scott M Gitlen
 MW Roth PLC
 13245 Riverside Drive, Suite 320
 Sherman Oaks, CA 91423
 P: 818-989-7888; F: 323-372-3547

☒ (BY U.S. MAIL) I placed a true copy (or original) of the foregoing document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

Executed on January 29, 2009, at Santa Monica, California.

☒ (FEDERAL ONLY) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

/s/ Diane Kinder

Diane Kinder